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PATENT APPLICATION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Applicants: BECK, Nicholas John

Serial No.: 10/607,025

Filed: June 26, 2003

For: THERMOSTATIC MIXING VALVE

Art Unit: 3744

Examiner: TAPOLCAI, William E.

I hereby certify that this paper is being deposited with the United States Postal Service as FIRST-CLASS mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date.

Sept. 8, 2004
Date

Lawrence J. Crain
Registration No. 31,497
Attorney for Applicants

RESTRICTION/ELECTION RESPONSE TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

(X) Enclosed is a Response to Restriction/Election:

(X) If a Petition under 37 C.F.R. §1.136(a) for an extension of time for response is required to make the attached response timely and does not separately accompany this transmittal, Applicant(s) hereby petition(s) under 37 C.F.R. §1.136(a) for an extension of time for response in the above-identified application for the period required to make the attached response timely.

(X) The Commissioner is hereby authorized to charge any additional fees which may be required to this application under 37 C.F.R. §§1.16-1.17, or credit any overpayment, to Deposit Account No. 07-2069. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 07-2069. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

September 8, 2004

GREER, BURNS & CRAIN, LTD.

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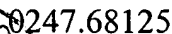
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By:

Lawrence J. Crain
Lawrence J. Crain

Registration Number 31,497



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9/8/04
Date

Lawrence R. ...
Registration No. 81,497
Attorney for Applicants

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is in response to the Restriction Requirement mailed August 12, 2004 in the above-identified application. The Examiner has required Restriction to one of the following inventions:

- I. Claims 1-20 drawn to a thermostatic mixing valve; and
- II. Claims 21-22 drawn to an arrangement of the inlets of a mixing valve.

Applicants hereby elect Group I: claims 1-20 drawn to a thermostatic mixing valve. The election is made with traverse.

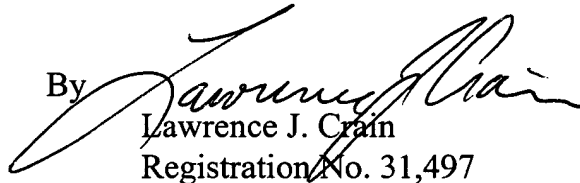
The Examiner has also indicated that the application contains claims directed to the following patentably distinct species: FIGs. 1-4, 5-9, 10-14, 15-18, 19 and 20. The Examiner has indicated that claims 1, 21 and 22 are generic. Applicants elect the species of FIGs. 10-14. Claims reading on FIGs. 10-14 are: 1, 2, 3, 4, 6, 7, 8, 10, 12, 13, 14, 15 and 20.

Applicants respectfully submit that all of the issues raised in the Action mailed August 12, 2004 have been addressed. In the event that there are outstanding issues which may be resolved by a telephone interview, the Examiner is invited to contact Applicant's undersigned Attorney at the telephone number listed below.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By


Lawrence J. Crain
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September 8, 2004

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